

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

JUST ENTERPRISES, INC.

Plaintiff,

vs.

(888) JUSTICE, INC.

Defendant.

Case No. 3:06CV5023-CV-SW

Index

PLAINTIFF'S FIRST AMENDED EXHIBIT LIST

Pursuant to Local Rule 39.1, Plaintiff lists the following exhibits which may be offered at trial.

<u>Exhibit #</u>	<u>Document</u>
✓ 6/15 ¹ 4:29pm	Certificate of Trademark Registration for 1-800-JUSTICE. 2,742,137
✓ 6/15 ² 4:11pm	Timeline
✓ 6/15 ³ 2:10pm	File Wrapper: 1-800 JUSTICE; Registration Number 2742137
✓ 6/15 ⁴ 2:12pm	File Wrapper: 1-800-JUSTICIA, Registration Number 3127391
✓ 6/16 ⁵ 3:21pm	File Wrapper: (212) JUSTICE; Registration Number 2371213
✓ 6/16 ⁶ 3:37pm	File Wrapper: (888) JUSTICE, Serial Number 76110653
✓ 6/16 ⁷ 3:43pm	File Wrapper: 1-800-JUSTICE; Serial Number 76110652
✓ 6/16 ⁸ 3:52pm	File Wrapper for Triple 8 Justice
✓ 6/16 ⁹ 3:55pm	File Wrapper: (718) JUSTICE, Registration Number 3066636
✗ 6/15 ¹⁰ 3:44pm	Record of Confusion Summary
✓ 6/15 ¹¹ 3:45pm	Record of Confusion Summary 2009

Exhibits returned to PT's counsel on 6/18/09

Jeffrey H. Hess - M. Art Edwards

<u>Exhibit #</u>	<u>Document</u>
✓ 6/15 12 3:45pm	Record of Confusion Summary 2008
✓ 6/15 13 3:09pm	Record of Confusion Summary 2007
✓ 6/15 14 3:45pm	Record of Confusion Summary 2006
✓ 6/15 15 3:45pm	Record of Confusion Summary 2005
16	CEPAC DVD of 1-800-JUSTICE Ads
✓ 6/15 17 1:51pm	Mermelstein Yes Fax (1992)
18	Russo Fax (August 6, 1992)
✓ 6/15 19 1:54pm	Johnson to Russo Letter (November 1992)
20	1993 1-800-JUSTICE Phone Log
21	1996 1-800-JUSTICE Phone Log
22	1997 1-800-JUSTICE Phone Log
23	1998 1-800-JUSTICE Phone Log
24	1999 1-800-JUSTICE Phone Log
25	2006 1-800-JUSTICE Phone Log
✓ 6/15 26 1:57pm	2007 800-JUSTICE Commercials
27	Preszler Law Firm Ads of 1-800-JUSTICE
28	Preszler Law Firm Ad of 1-800-JUSTICE
✓ 6/15 29 2:42pm	Preszler Law Firm Ad of 1-800-JUSTICE
✓ 6/15 30 2:43pm	Preszler Law Firm Ad of 1-800-JUSTICE
31	2002 Yellow Page ads Joplin
32	2004 Yellow Page Ads Missouri, Kansas, Oklahoma

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<u>Exhibit #</u>	<u>Document</u>
✓ 6/15 1:59pm 33	Yes Fax 8/92
34	Yes Fax 8/03
35	1-800-JUSTICE Ad
✓ 6/15 1:59pm 36	1-800-JUSTICE Letterhead
✓ 6/15 1:59pm 37	1-800-JUSTICE Letterhead – NY Market
38	Yes Fax 2006
39	1-800-JUSTICE Letterhead
✓ 6/15 2:19pm 40	Phonebook Advertising Summary 2002-06 & Advertisements
✓ 6/15 2:22pm 41	1-800-JUSTICE Logo Design 2003
✓ 6/15 2:23pm 42	1-800-JUSTICE Forms
✓ 6/15 2:24pm 43	Just Enterprises Business Card
✓ 6/15 2:24pm 44	Just Enterprises Envelope
✓ 6/15 2:34pm 45	1-800-JUSTICE Advertisement 2005
✓ 6/15 2:36pm 46	1-800-JUSTICE Advertisement 2006
✓ 6/15 2:28pm 47	1-800- JUSTICE Letterhead
✓ 6/15 2:28pm 48	Yes Fax for Meyerson Firm 2003
✓ 6/15 2:26pm 49	Yes Fax for Scannel Firm 2003
✓ 6/15 2:28pm 50	Yes Fax for Marquis Firm 2004
✓ 6/15 2:28pm 51	Yes Fax for Richmond Firm 2004
✓ 6/15 2:28pm 52	Yes Fax for Findley Firm 2005
✓ 6/15 2:28pm 53	Yes Fax for Greenstein Firm 2005

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<u>Exhibit #</u>	<u>Document</u>
✓ 54 6/15 2:28pm	Yes Fax for Nunn Firm 2005
✓ 55 6/15 2:28pm	Yes Fax for Ambrose Firm 2006
✓ 56 6/15 2:30pm	Yes E-mail for Crouppen Firm 2006
✓ 57 6/15 2:28pm	Yes Fax (via e-mail) for Brown & Crouppen Firm 2006
✓ 58 6/15 2:28pm	Yes Fax for Stoff Firm 2006
✓ 59 6/15 2:28pm	Yes Fax for Eddins Firm 2006
60	Just Enterprises 3/07 letter re: Interest in mark
✓ 61 6/15 2:32pm	Yes Fax for Castillo 2007
✓ 62 6/15 2:32pm	Yes Fax for Herrell 2007
✓ 63 6/15 2:39pm	Wettermark billboard ads 2007
✓ 64 6/15 2:39pm	Rue Magnets 2007
✓ 65 6/15 2:40pm	Perenich ads 2007
✓ 66 6/15 2:41pm	Preszler ads 2007
✓ 67 6/15 2:43pm	1-800-JUSTICE Licensee Summary & License Agreements
Ex. 68 6/15 2:56pm	July 15, 2005 E-mail from T. Kinnear to T. Dobrauc
69	July 20, 2005 E-mail from T. Kinnear to T. Dobrauc
70	Corporate Image Marketing Non-Disclosure, Non-Compete Agreement
71	Just Enterprises letter to Wettermark - January 12, 2007
72	Wettermark to Just Enterprises letter - March 8, 2007
73	Ohio call samples CD
74	Ohio call sample summary

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<u>Exhibit #</u>	<u>Document</u>
75	Group Exhibit – Audio Clips of Misdirected Phone Calls - No. 1
X 6/15 3:05pm 76	Group Exhibit – Audio Clips of Misdirected Phone Calls - No. 2
77	Defendants' Request for Admission from Plaintiff Just Enterprises, Inc.
78	Defendants' First Set of Interrogatories and First Set of Document Requests
79	August 1992 & October 1992 inquiry from Eugene Russo for 1-800-JUSTICE
80	September 1992 inquiry from Allen Rothenberg & 1-800-JUSTICE® YES! FAX reply
81	November 1992 Wall Street Journal Advertisement
✓ 6/15 2:04pm 82	February 15, 1993 inquiry from Giggle, Grump & Weiner (a division of Patients Plus, Inc.) for 1-800-JUSTICE®
✓ 6/15 2:08pm 83	March 30, 1993 1-800-JUSTICE® Marketing Plan by Marketingworks and Marketing reports and invoices
✓ 6/15 3:36pm 84	April 15, 1993 USA TODAY article referencing 1-800-JUSTICE®
✓ 6/15 2:47pm 85	JEI & CEPAC COMMUNICATIONS Agreement dated December 2003
86	1800JUSTICE.com Website displaying 1-800-JUSTICE® & 1-800-JUSTICIA® posted December 2005
87	3 rd party inquiry for 1-800-JUSTICE® received by JEI or affiliates
88	JEI's Annual Breakout: Marketing Expense of 1-800-JUSTICE®
89	March 15, 2006 Letter to JEI re: "DMA" mark
90	March 6, 2006 JEI's letter responding to "DMA" mark correspondence
91	1-800-JUSTICE® Marketing Plan 2004
92	Orlando, Florida Licensee Rue & Ziffra's Use of 1-800-JUSTICE®; website, yellow page advertisements, May & June 2004 Media Buys
93	1-800-JUSTICE® Use by JEI and Licensee's
94	JEI: Reports of Completed Calls; 2007, 2006, 2005, 2004
95	JEI: Record of Confusion Reports; 2007, 2006, 2005

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<u>Exhibit #</u>	<u>Document</u>
96	JEI Exclusive Referral Agreements for 1-800-JUSTICE® (CONFIDENTIAL)
97	1-800-JUSTICE® Recognition/Publicity
98	September 25, 2006 Update re: 1-800-JUSTICE® to licensees
99	Norinsberg Activities at USPTO; Bryan Sugar solicitation
✓ 100 6/15 2:51pm	November 7, 2006 Martin letter to Jacobs
101	November 17, 2006 Cobb letter to Jacobs
✓ 102 6/15 2:52pm	November 20, 2006 Jacobs letter to Cobb
✓ 103 6/15 2:53pm	Martin letter to Thomas – 11/06
104	Thomas letter to Martin – 11/06
✓ 105 6/15 2:53pm	Martin letter to Buckfire – 11/06
106	Martin letter to Brown & Crouppen
107	Weller to Kelly letter – 7/05
✓ 108 6/15 2:54pm	Petition to Cancel 800 4 JUSTICE
✓ 109 6/15 2:50pm	Cancellation
110	Martin letter to Phillips – 5/07
111	DVD of 888 Justice booth
112	Martin to O'Malley letter 3/07
113	Martin to Nurinsberg letter 3/07
114	Martin to Bilbrey letter 12/06
✓ 115 6/15 2:50pm	Mintz letter to Kelly 6/05
116	Walner Settlement Agreement

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<u>Exhibit #</u>	<u>Document</u>
✓ 117 6/16 3:57pm	SECRET JUSTICE File Wrapper
✓ 118 6/16 3:58pm	SIMPLE JUSTICE File Wrapper
✓ 119 6/16 3:59pm	POWER OF JUSTICE File Wrapper
✓ 120 6/16 3:59pm	YOU HAVE A RIGHT TO JUSTICE File Wrapper
✓ 121 6/16 3:59pm	JUSTICE FOR ALL File Wrapper
✓ 122 6/16 4:00pm	JUSTICE FOR THE INJURED File Wrapper
123	VIRTUAL JUSTICE File Wrapper
✓ 124 6/16 4:00pm	1-800 INJURED File Wrapper
125	AMERICAN JUSTICE File Wrapper
126	Berger Report
127	Interview Instructions
128	Screening Questionnaire
✓ 129 6/17 1:46pm	Telephone Survey Questionnaire
✓ 130 6/17 1:47pm	Tabulations Report
✓ 131 6/17 1:48pm	Graphs
132	Suburban Marketing Research Letter
EX 133 6/17 2:05pm	Berger Chart of Responses
✓ 134 6/15 3:39pm	Answers to First Interrogatories to Defendants
✓ 135 6/16 3:41pm	Answer to Second Amended Complaint
✓ 136 6/16 4:07pm	Responses to Plaintiff's Second Request for Admissions
137	Norinsberg (800) JUSTICE trademark application

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<u>Exhibit #</u>	<u>Document</u>
138	Norinsberg (212) JUSTICE application 1999
139	Norinsberg 8 & 15 (212) JUSTICE renewal 2006
140	(718) JUSTICE application
✓ 4/15 4:07pm 141	Norinsberg to Just Enterprises letter with Ad 10/30/01
142	12/7/09 E-mail String From Wettermark to Norinsberg
✓ 6/16 4:10pm 143	Norinsberg Michigan license
✓ 6/16 4:14pm 144	Norinsberg license 1/13/08
145	888 JUSTICE website printout 3/09
146	888 JUSTICE Advertising Services Agreement
✓ 6/16 4:08pm 147	888 JUSTICE Participant Fee Scheduled
148	(212) JUSTICE Ad in Brooklyn papers
149	(212) JUSTICE Ad
150	US 888 JUSTICE DVD Commercials
✓ 6/16 4:26pm 151	Norinsberg to Russo e-mail 5/06
152	US (212) JUSTICE DVD Commercials
153	Norinsberg Licensee correspondence and Invoices (NOR 150-284) (Group Exhibit)
154	Printouts from 1-888-JUSTICE website
155	Norinsberg's License List
156	J. Norinsberg Testimonial
157	Legal bills through August 27, 2008
158	Additional Legal Expenses

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<u>Exhibit #</u>	<u>Document</u>
✓ 159 6/15 2:06pm	Notice of Opposition to Patients Dos 1-800-JUSTICE application
160	(888) Justice Website
161	Vanity Law Website
162	US Justice Website
163	Corporate Image Marketing Website
✓ 164 6/15 2:33pm	1-800-Justice Website
✓ 165 6/17 2:26pm	Berger Article January 2007
166	Norinsberg New York Lawsuit

Plaintiff reserves the right to present additional attorneys' fees evidence to the court if the jury returns a verdict in favor of Plaintiff.

Respectfully submitted,

GALLOP, JOHNSON & NEUMAN, L.C.

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Attorneys for Plaintiffs Just Enterprises, Inc.

CIVIL / CRIMINAL

ACTION NUMBER _____

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